

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL RICHARD KAY,	:	
	:	
Plaintiff	:	
-against-	:	16 Civ. 8558 (LGS)
	:	
CARTOON NETWORK, INC., et al	:	<u>ORDER</u>
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on November 8, 2017, the Court issued an Opinion granting Defendants' motion to dismiss with prejudice. ECF 62;


WHEREAS, on November 28, 2017, the Court endorsed a stipulation between the parties. ECF 64. The stipulation provided that Defendants waive their right to apply for their attorneys' fees and costs incurred in this case and that Plaintiff accepts the Court's judgment as final and agrees not to pursue any appeal or other litigation with respect to this case. *Id.*;

WHEREAS, on May 20, 2020, Plaintiff sent a letter to the Court. The letter is attached to this Order. It is hereby

**ORDERED** that the Court does not construe this letter as a motion for reconsideration. The time to file a motion for reconsideration has passed, and construing this letter as a motion for reconsideration may subject Plaintiff to additional fees.

No further filings will be accepted.

Dated: July 16, 2020  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE



Re: Kaye v. Cartoon Network, Inc. et al., Case No. 16 Civ. 8558 (LGS)  
Case 1:16-cv-08558-LGS Document 61 Filed 10/20/17

Hon. Lorna G. Schofield  
United States District Court  
for the Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Mike Kaye  
7525 NW 61 Terrace, Apt 204  
Parkland, FL 33067

Dear Judge Lorna G. Schofield,

Your Honor you've made a grave mistake in your "with prejudice" ruling on my Amphoman case. The courts failed me on this and it's something I must live with. I thought as time passed it would get easier, but it hasn't. Unscrupulous artists from high society lifted my story, were backed by Park Avenue lawyers and got away with my life's work. The statute of limitations has passed and the lawyers made out with my \$18,000 which included the loss of my vehicle. To this day when I attempt to promote my Amphoman books I hear comments of, "this looks like Steven Universe."

Please allow me to clarify the truth so my soul can feel that this wrong was righted.

In 1989, I created mutant like characters with no reasoning for their existence. During a Middle School lecture my teacher explained to the class that our bodies are composed of mere elements on the periodic table worth about \$2.20. It got me thinking, what if we were condensed down to our basic elements by a type of crystal transforming machine? We'd be the size of a baseball or smaller and where would our soul go, would it be trapped inside? People on Earth could find these soul trapped gems and temporarily unleash their powers once fused to them. This would give a backstory as to why all these mutant characters I created earlier, now existed in my story. It gave me the freedom to create more random mutants both hero and villain and people would understand their existence because they were all "gem powered". I had no real clue on this that my father said, "There are starving artists in the world, not starving doctors" he was hoping I'd seek a better career option than the world of art. Instead I carried my inner character, which based off my own adolescent self, into a struggling doctor. I was the "nerdy" guy who got related to the smart character. My elementary teacher told my mom, "Michael is a quiet guy with words that run deep." I made sure my work had equality because I am a human person who would seek out the student in class that was awkward or being made fun of and helped that person. My story has an African American loosely based on my childhood friend, Keesha an Indian because I respect the spiritual power of an Indian Chief. I have a black cat and dog because I have brothers, kids because I have kids, pets because I have



pets, none of this changes the central premise of my power of gems formula which is what they stole. I added Yiddish words that were not intended to be derogatory in anyway, in fact, they were to honor my late Grandma who spoke Yiddish and escaped the Nazis only to have her family murdered by Hitler's army. She taught me slang when I was four like "kaka moon" which means "poop on the moon" and that word is even used in Stephen Spielberg's movie, "Gremlins". The one mistake I will attest to is the use of the word "Fagala" which I thought was spelled like it sounds "fagala" which made it derogatory but that was not my intention, I can't afford the luxury of an editor or the ability to have my late Grandma proof my Yiddish and tell me the correct spelling of the word is spelled "fayghele". I grew up hearing friends and family call my mom "fagala" all the time because it's my mom's Yiddish name meaning "little bird" not knowing there was a different spelling which determined it's meaning. My mom's english name "Fran" is also referenced on Amphoman #3's cover as "Fran-tic" Issue.

I'm very proud of my works and did not create prejudiced garbage. my works have sentimental meaning as they are the one thing that keeps me connected to my late father since he hand lettered early drafts. Now I step into a comic store and my soul is crushed seeing Steven Universe comics on the shelves knowing they stole my story and claim it as their own. They basically stole the comparable to taking the concept of "a radioactive spider bite" which encompasses the entire Spiderman enterprise with everything hinging on that premise and without which Spiderman would not exist. Can you make a story about "a radioactive spider bite" which doesn't end up sounding like Spiderman? You can change the villains and setting and everything else but the moment you touch on that central theme you'll be hard pressed to differentiate your story from Spiderman's.

Having spent decades on my story I instantaneously knew when I saw it on tv that they had taken my story, I just didn't know how. Their first episode an awkward gem hero looking to activate a gem embedded on his body with a specific trigger event but not knowing how, the precise premise of Amphoman #1. One of their character's, Pearl, being zapped and instantly turning into a tiny sphere and being trapped inside.

I began to back track and realized all my notoriety began on June 3, 2013 when I posted Amphoman book #1 to be critique on LinkedIn in a Comic book creators group. I chose this day because it's my anniversary day. I didn't expect the critique to take off like it did but it hit a note with fellow members in the group. That post single handedly propelled my fame from June-November 2013 where it gave me the opportunity to appear in the newspapers over a dozen times, two book signings and a radio show. At the time the post was topping charts I was noted as being the week's most influential member because of the post, even having my pic on the group page. The critique mentioned the theme of my story with descriptions that magical gems providing power has story potential. I was furious and began researching who was behind this. I learned of Rebecca Sugar and her brother. I ranted on what I thought was a random site called cartoonbrew stating the series was a knockoff of mine and to compare for yourself. I then began to notice a cover up. Someone began claiming her ideas started in 2012, then a week later the claims began placing her story creation back to 2011. I saw the conspiracy unfolding in front of my eyes and I couldn't stop it. I then noticed the owner Amid Amid of the



cartoonbrew site where I ranted on, also happened to be the one making the claims that Rebecca Sugar created the story years ago. I began looking at my connections on LinkedIn and ironically he's a 1<sup>st</sup> connection to me. I then saw that 17 people knew someone who knows Rebecca in my network. As I dug deeper I discovered that Rebecca once had a 3<sup>rd</sup> connection icon next to her name and that suddenly disappeared as she most logically began to distance herself from me by removing whoever we had as common connections on LinkedIn. I also began seeing a claim of a second Steven Universe pilot. The actual pilot July 27, 2013 but this new pilot claim dated May 21, 2013 which predated my chart topping book critique and front page news. I watched both pilots and they were identical. Cartoon Network only acknowledging the July Pilot but the web insisting there was a May pilot now that not only predated my book critique but also predated when my notoriety started being publicized. As I looked into it, the only one claiming this May pilot was a man named Rob Sugar, who happens to be her own father. He bragged how his son Steven now has a career alongside his daughter. I then began learning about Ian Jones Quartey working "24/7" in June on a pilot called Steven Universe with the dates being a couple weeks after my chart topping book critique. If they were creating it for so many years prior as they claim then why was he working 24/7 writing it just a few weeks before the actual pilot was released? If a previous pilot already came out in May and it's identical to the actual one in July then what was he writing so much? After realizing I had inadvertently alerted them by speaking on the cartoonbrew site connected to them I began gathering evidence and tried to find legal council which wasn't easy because of the amount of explaining the case needed. As I went into my LinkedIn archives I was astonished to see that my chart topping book critique was deleted from my account. Someone with admin access went in and deleted it. LinkedIn specifically states that posts are stored indefinitely in each members account but that wasn't the case with mine. What I later found was a shell of the discussion, gutted, showing just the title but no critique or comments. To my benefit was the fact that I kept the email references to the chart topping post, while it was active, which I have to this day, noting the central theme and showing just how popular my chart topping book critique really was, which explains why Rebecca, her brother and Ian wanted it squashed.

I'm a family man with dignity and morals. It took me a while to figure out why Rebecca would take my work and who Ian Jones Quartey was and his relationship to her. It was later announced that Ian and Rebecca were getting married and I realized he wanted to make his future bride the "first female creator of a cartoon series". Ian also worked with her brother Steven on a different comic book called "Bravest Warriors" so they were all working together in comics and had connections to Cartoon Network as a trio when they saw my book critique. The network was looking for a comic book story that could roll into a cartoon and they found gold with my creation. I bet my existence on the fact they took the central theme of my story and began making it their own but couldn't change the central idea which all these expressions hinge off like "a radioactive spider bite". Problem is if you remove the "radioactive spider bite" or in my case the "the expressions an awkward, gem bearing hero learning his powers as he goes on gem missions looking to recover magical gems from random gem bearing villains with intent on safely storing the recovered gems, his own gem communicating with him containing a soul that lost physical form when it condensed into a gem" then there's no story to be told.



When I describe to someone I meet, a story about an awkward hero who bears a gem embedded on his body, who works with others that bear gems, discovers his gem powers as he goes on missions by foot, seeks mutated villains who exist because of gems embedded on them, defeats villains who lose their physical form and condense into tiny gem spheres then safely stores recovered gems; I am often asked if I'm referring to Steven Universe, when in fact it's the story of Amphoman. This is why I prayed that a jury would've been able to see this and I never got that chance. They even made a gem powered "witch" that's based off a broken mirror, the same as my gem powered witch. Lawyers have looked at this and shook their head stating just how alike this is. One lawyer stating, "I'm glad I'm not on the defense team for this one."

Two years ago my son survived a school shooting at his high school MSD in Parkland, FL. He went into catatonia and I had to sign him over to the State. Because of the fact he didn't get a single scratch on his body I was entitled to zero compensation. Another example of a justice system where some cases fall through the cracks and injustice prevails. I paid out of pocket for his medications to remove psychosis praying I'd get my son back and knowing that he was a casualty of war with no compensation because of technicalities like that in my case. I've spent these last few years with this curse of thinking on a daily basis how this should have ended and it's hard to digest that the bad guys won. Ian Jones Quartey, Rebecca Sugar and Steven Sugar saw my book critique, took my life's work, changed the story but were unable to change the central theme that both stories expressions hinge on, they then covered up with the idea of a fake, earlier second pilot to pre-date my book critique and the front page news article about me predating their pilot which headlines Amphoman as "Local Artist's Comic Books Sell... 22 years Later". They had someone delete my chart topping book critique, Rebecca removed common connections between us that connected us on LinkedIn, their proud father assisting by creating a "earlier second pilot to predate where they stole from" and sat back commending them and boasting how proud that this boosted his daughter's career and provided his son with a job at Cartoon Network, he even commented how he found a leaked version of something from Cartoon Network that he was sharing with everyone, which shows what type of character her father has. Did you know when Rob Sugar was served he became so aggressive that he slammed the door on the server, why would an innocent person do such a thing if they had no guilt? Rebecca hiding the fact her boyfriend was helping with all this since he already worked on Adventure Time and in the comic book field and enough people to back their story like Amid who said "I don't know how I missed this.. Rebecca got the greenlight in 2011" assisting in pushing the existence of this show even further back in time. Artists gaining work and careers from all this. I wish I never shared my book on the fateful day of June 3, 2013. Steven Universe would not exist today.

With the lawyers main concern of taking my cash, me putting it all on the line when none of my three kids have college paid for, losing my car, having spent \$30,000 on additional copyrights, travel and related expenses, threatened to let it go or the defense lawyers would seek their payments from me causing me to lose my home, do you really think a sane person would go through all this if they weren't holding the truth? I'm left with a losing case, dismissed with prejudice, when I'm the only honest person in all of this who created a story as a innocent child,



not knowing it would be the last untainted item in my life that got tainted on my happiest day (anniversary June 3) with a name Steven Universe that happens to be my late father's name "Steven", as an added insult to injury. A note of prejudice is the exact opposite of my character. I was handed a law team at the last second because the lawyer who actually knew what he was doing had to bail the week prior because according to him there was a conflict of interest, having previously sued someone related to the case.

I can't change the outcome of what happened, so I thought how the only way the truth would come out would be when I die and leave behind the evidence I gathered in a will to be sent to news, but then I thought, why wait until then, when I can just tell you so my soul can finally find peace and I can pass along the torch so you can perhaps re-assess with these facts that were never conveyed in the case because I was never asked nor had the chance to convey, so now you can reflect on whether you still think you made the right decision.

Sincerely,  
Mike Kaye



